

In re: GARCIA, ANTONIO PEREZ

§ Case No. 15-31751-JCW

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Debtor(s)

**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on November 05, 2015. The undersigned trustee was appointed on November 06, 2015.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 68,093.80

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>0.00</u>
Bank service fees	<u>364.09</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>35,000.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of <sup>1</sup>	\$ <u>32,729.71</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 02/15/2016 and the deadline for filing governmental claims was 05/03/2016. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$18,995.04. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$18,995.04, for a total compensation of \$18,995.04.<sup>2</sup> In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$0.00, for total expenses of \$0.00.<sup>2</sup>

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 02/02/2017 By: /s/Richard M. Mitchell

Trustee

<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 15-31751-JCW

Trustee: (530290) Richard M. Mitchell

Case Name: GARCIA, ANTONIO PEREZ

Filed (f) or Converted (c): 11/05/15 (f)

§341(a) Meeting Date: 12/09/15

Period Ending: 01/23/17

Claims Bar Date: 02/15/16

1 Ref. #	2 Asset Description (Scheduled And Unscheduled (u) Property)	3 Petition/ Unscheduled Values	4 Est Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	5 Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	6 Sale/Funds Received by the Estate	7 Asset Fully Admin. (FA)/ Gross Value of Remain. Assets	8 Lien Amount	9 Exempt Amount
1	House & lot at 9816 Deer Brook Lane, Charlotte N Imported from original petition Doc# 1	351,800.00	72,127.52		68,093.80	FA	244,672.48	35,000.00
2	Cash in Debtor's possession Imported from Amended Doc#: 18	150.00	150.00		0.00	FA	0.00	0.00
3	Checking AC # xxxxxx5573 @ PNC Imported from Amended Doc#: 18	80.29	80.29		0.00	FA	0.00	0.00
4	Checking AC # xxxx3206 @ People's Bank Imported from Amended Doc#: 18	0.00	0.00		0.00	FA	0.00	0.00
5	Checking AC # xxxxxx0529 @ Sharonview Imported from Amended Doc#: 18	150.00	150.00		0.00	FA	0.00	0.00
6	1 sofa, 1 coffee table, 4 end tables, 9 lamps, 2 Imported from Amended Doc#: 18	2,150.00	0.00		0.00	FA	0.00	2,150.00
7	China, porcelain statues, pictures, mirrors Imported from Amended Doc#: 18	300.00	0.00		0.00	FA	0.00	300.00
8	watch Imported from Amended Doc#: 18	100.00	100.00		0.00	FA	0.00	0.00
9	22 Revolver Imported from Amended Doc#: 18	100.00	100.00		0.00	FA	0.00	0.00
10	IRA w/Robert W. Baird & Company, 472 Piedmont Ro	250.01	0.00		0.00	FA	0.00	250.01

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Filed (f) or Converted (c): 11/05/15 (f)

§341(a) Meeting Date: 12/09/15

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Claims Bar Date: 02/15/16

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Est Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) DA=\$554(c)	5 Sale/Funds Received by the Estate	6 Asset Fully Admin. (FA)/ Gross Value of Remain. Assets	7 Lien Amount	8 Exempt Amount
Imported from Amended Doc#: 18							
11 2012 Honda Accord Mileage: 93,106 VIN #1HGCP3F83 Imported from original petition Doc# 1	13,650.00	0.00		0.00	FA	21,338.77	0.00
12 2003 Ford Cargo Van Mileage: 91,000 VIN #1FTRE14 Imported from original petition Doc# 1	7,325.00	7,325.00		0.00	FA	0.00	0.00
13 2004 Chevrolet Van Mileage: 92,000 VIN 1GCGG29U4 Imported from original petition Doc# 1	6,500.00	6,500.00		0.00	FA	0.00	0.00
14 2003 Ford Cargo Van Mileage: 91,000 VIN #1FTRE14 Imported from Amended Doc#: 18	5,000.00	1,500.00		0.00	FA	0.00	3,500.00
15 Lawn mower, hand & yard tools Imported from Amended Doc#: 18	50.00	50.00		0.00	FA	0.00	0.00
16 Pergola Imported from Amended Doc#: 18	4,000.00	0.00		0.00	FA	4,500.00	0.00
<b>Totals</b> 16 Assets (Excluding unknown values)	<b>\$391,605.30</b>	<b>\$88,082.81</b>		<b>\$68,093.80</b>	<b>\$0.00</b>	<b>\$270,511.25</b>	<b>\$41,200.01</b>

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

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Trustee: (530290) Richard M. Mitchell

Case Name: GARCIA, ANTONIO PEREZ

Filed (f) or Converted (c): 11/05/15 (f)

§341(a) Meeting Date: 12/09/15

Period Ending: 01/23/17

Claims Bar Date: 02/15/16

1	2	3	4	5	6	7	8
Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	Petition/ Unscheduled Values	Est Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Admin. (FA)/ Gross Value of Remain. Assets	Lien Amount	Exempt Amount

**Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:**

June 30, 2016 - Semi-Annual Report - Trustee filed Motion to Sell Property entered on March 39, 2016; Order granting Motion entered on April 20, 2016. Trustee filed Report of Sale entered on May 24, 2016. Trustee filed Ex Parte Motion To Disburse Exempt Funds entered on June 2, 2016; Order granting Ex Parte Motion entered on June 3, 2016. Trustee filed Objection to Claim entered June 28, 2016.

Preparing to close

Initial Projected Date Of Final Report (TFR): August 15, 2016

Current Projected Date Of Final Report (TFR): August 15, 2016

January 23, 2017

Date

/s/ Richard M. Mitchell

Richard M. Mitchell

Copy Served On: Ms. Linda W. Simpson  
Bankruptcy Administrator

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 15-31751 JCW  
**Case Name:** GARCIA, ANTONIO PEREZ

**Trustee:** Richard M. Mitchell (530290)  
**Bank Name:** Rabobank, N.A.  
**Account:** \*\*\*\*\*1766 - Checking Account  
**Blanket Bond:** \$700,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** 30-6523721  
**Period Ending:** 01/23/17

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
05/23/16		The Shoaf Law Firm, P.A.	Sale Proceeds	68,093.80		68,093.80
	{1}		Sale of Property 349,900.00			68,093.80
	{1}		Assessments 181.35			68,093.80
	{1}		County taxes -1,549.57			68,093.80
	{1}		Sellers Doc Prep -175.00			68,093.80
	{1}		Realtor commission One to One 10,407.00			68,093.80
	{1}		Excise tax -700.00			68,093.80
	{1}		Payoff Mortgage Peoples Bank 25,444.53			68,093.80
	{1}		HOA transfer -217.00			68,093.80
	{1}		HOA delinquent dues -832.45			68,093.80
	{1}		HOA certification -75.00			68,093.80
	{1}		Realtor Commission Keller Williams 10,497.00			68,093.80
05/31/16		Rabobank, N.A.	Bank and Technology Services Fee		13.02	68,080.78
06/06/16	101	Antonio Perez Garcia	Exemption Distribution Per Order 6/3/16 Doc 35		35,000.00	33,080.78
06/30/16		Rabobank, N.A.	Bank and Technology Services Fee		107.42	32,973.36
07/29/16		Rabobank, N.A.	Bank and Technology Services Fee		94.25	32,879.11
08/31/16		Rabobank, N.A.	Bank and Technology Services Fee		56.89	32,822.22
09/30/16		Rabobank, N.A.	Bank and Technology Services Fee		47.07	32,775.15
10/31/16		Rabobank, N.A.	Bank and Technology Services Fee		45.44	32,729.71

<b>ACCOUNT TOTALS</b>	<b>68,093.80</b>	<b>35,364.09</b>	<b>\$32,729.71</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>68,093.80</b>	<b>35,364.09</b>	
Less: Payments to Debtors		35,000.00	
<b>NET Receipts / Disbursements</b>	<b>\$68,093.80</b>	<b>\$364.09</b>	

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****1766	68,093.80	364.09	32,729.71
	<b>\$68,093.80</b>	<b>\$364.09</b>	<b>\$32,729.71</b>

January 23, 2017

Date

/s/ Richard M. Mitchell

Richard M. Mitchell

**Exhibit C****Case: 15-31751-JCW GARCIA, ANTONIO PEREZ**

**Case Balance:** \$32,729.71      **Total Proposed Payment:** \$32,729.71      **Remaining Balance:** \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
5	Peoples Bank	Secured	248,478.36 *	248,478.36	0.00	248,478.36	0.00	32,729.71
	<b>Claim Memo:</b> Withdrawn Doc 38							
EX	Antonio Perez Garcia	Secured	35,000.00	35,000.00	35,000.00	0.00	0.00	32,729.71
	<b>Claim Memo:</b> Exemption Distribution per Order							
	EDWARD P. BOWERS	Admin Ch. 7	254.25	254.25	0.00	254.25	254.25	32,475.46
	<3410-00 Accountant for Trustee Fees (Other Firm)>							
	RICHARD M. MITCHELL	Admin Ch. 7	2,368.18	2,368.18	0.00	2,368.18	2,368.18	30,107.28
	<3120-00 Attorney for Trustee Expenses (Trustee Firm)>							
	RICHARD M. MITCHELL	Admin Ch. 7	9,982.50	9,982.50	0.00	9,982.50	9,982.50	20,124.78
	<3110-00 Attorney for Trustee Fees (Trustee Firm)>							
	Richard M. Mitchell	Admin Ch. 7	18,995.04	18,995.04	0.00	18,995.04	18,995.04	1,129.74
	<2100-00 Trustee Compensation>							
1P	IRS Insolvency Unit	Priority	7,344.00	7,344.00	0.00	7,344.00	1,129.74	0.00
1U	IRS Insolvency Unit	Unsecured	252.45	252.45	0.00	252.45	0.00	0.00
2	Kent's Backyard Vision, Inc.	Unsecured	4,500.00	4,500.00	0.00	4,500.00	0.00	0.00
	dba Archadeck of Char							
3	Bray & Long, PLLC	Unsecured	3,938.23	3,938.23	0.00	3,938.23	0.00	0.00
4	First National Bank of Omaha	Unsecured	8,818.07	8,818.07	0.00	8,818.07	0.00	0.00
6	Financial Pacific Leasing, Inc.	Unsecured	4,773.50	4,773.50	0.00	4,773.50	0.00	0.00
7	Capital One Bank (USA),	Unsecured	30,929.88	30,929.88	0.00	30,929.88	0.00	0.00
	N.A.							
8	PYOD LLC	Unsecured	4,080.37	4,080.37	0.00	4,080.37	0.00	0.00
9	PYOD LLC	Unsecured	5,751.49	5,751.49	0.00	5,751.49	0.00	0.00
10	American Honda Finance	Unsecured	2,381.51	0.00	0.00	0.00	0.00	0.00
	Corporation							
10 -2	American Honda Finance	Unsecured	2,381.51	2,381.51	0.00	2,381.51	0.00	0.00
	Corporation							
11	WELLS FARGO BANK, N.A.	Unsecured	34,410.08	34,410.08	0.00	34,410.08	0.00	0.00
<b>Total for Case 15-31751 :</b>			<b>\$424,639.42</b>	<b>\$422,257.91</b>	<b>\$35,000.00</b>	<b>\$387,257.91</b>	<b>\$32,729.71</b>	

**CASE SUMMARY**

	Amount Filed	Amount Allowed	Paid to Date	Proposed Payment	% paid
<b>Total Administrative Claims :</b>	\$31,599.97	\$31,599.97	\$0.00	\$31,599.97	100.000000%
<b>Total Priority Claims :</b>	\$7,344.00	\$7,344.00	\$0.00	\$1,129.74	15.383170%
<b>Total Secured Claims :</b>	\$283,478.36	\$283,478.36	\$35,000.00	\$0.00	12.346621%
<b>Total Unsecured Claims :</b>	\$102,217.09	\$99,835.58	\$0.00	\$0.00	0.000000%

(\*) Denotes objection to Amount Filed

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 15-31751-JCW

Case Name: GARCIA, ANTONIO PEREZ

Trustee Name: Richard M. Mitchell

**Balance on hand:** \$ 32,729.71

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None					

Total to be paid to secured creditors: \$ 0.00

Remaining balance: \$ 32,729.71

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Richard M. Mitchell	18,995.04	0.00	18,995.04
Attorney for Trustee, Fees - RICHARD M. MITCHELL	9,982.50	0.00	9,982.50
Attorney for Trustee, Expenses - RICHARD M. MITCHELL	2,368.18	0.00	2,368.18
Accountant for Trustee, Fees - EDWARD P. BOWERS	254.25	0.00	254.25

Total to be paid for chapter 7 administration expenses: \$ 31,599.97

Remaining balance: \$ 1,129.74

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00

Remaining balance: \$ 1,129.74



In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$7,344.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1P	IRS Insolvency Unit	7,344.00	0.00	1,129.74

Total to be paid for priority claims: \$ 1,129.74

Remaining balance: \$ 0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 65,425.50 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1U	IRS Insolvency Unit	252.45	0.00	0.00
2	Kent's Backyard Vision, Inc. dba Archadeck of Char	4,500.00	0.00	0.00
3	Bray & Long, PLLC	3,938.23	0.00	0.00
4	First National Bank of Omaha	8,818.07	0.00	0.00
6	Financial Pacific Leasing, Inc.	4,773.50	0.00	0.00
7	Capital One Bank (USA), N.A.	30,929.88	0.00	0.00
8	PYOD LLC	4,080.37	0.00	0.00
9	PYOD LLC	5,751.49	0.00	0.00
10 -2	American Honda Finance Corporation	2,381.51	0.00	0.00

Total to be paid for timely general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 34,410.08 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
11	WELLS FARGO BANK, N.A.	34,410.08	0.00	0.00

Total to be paid for tardy general unsecured claims: \$ 0.00  
 Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for subordinated claims: \$ 0.00  
 Remaining balance: \$ 0.00